

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SPARKLES WAGES,)	
)	
Plaintiff,)	
)	
v.)	
)	No.
MOUNT SINAI HOSPITAL MEDICAL)	
CENTER OF CHICAGO, SINAI HEALTH)	Judge
SYSTEM, CARLOS SANDOVAL-)	
HERRERA, M.D., THE MOUNT SINAI)	Formerly Case No. 2014 L 009475
COMMUNITY FOUNDATION d/b/a SINAI)	Circuit Court of Cook County, Illinois
MEDICAL GROUP, and ACCESS)	
COMMUNITY HEALTH NETWORK,)	
)	
Defendants.)	

**NOTICE OF REMOVAL OF A CIVIL ACTION AND
SUBSTITUTION OF THE UNITED STATES AS DEFENDANT**

To: Dorothy Brown	Law Offices of Stephanie K. Nathanson
Clerk of the Circuit Court	70 West Madison Street, Suite 3960
Richard J. Daley Center, Room 1001	Chicago, Illinois 60602
50 West Washington Street	
Chicago, Illinois 60602	
Anderson Rasor & Partners, LLP	
100 South Wacker Drive, Suite 1000	
Chicago, Illinois 60606	

The United States, by its attorney, Zachary T. Fardon, United States Attorney for the Northern District of Illinois, submits this notice of removal of the above-captioned civil action from the Circuit Court of Cook County, Illinois, to the United States District Court, Northern District of Illinois, pursuant to 42 U.S.C. § 233, and in support thereof states the following:

1. On September 10, 2014, plaintiff Sparkles Wages commenced the above civil action against Access Community Health Network, Carlos Sandoval-Herrera, M.D., and others,

alleging medical malpractice. A copy of the state court complaint is attached as Exhibit A. For purposes of this lawsuit, Access Community Health Network is a private entity that receives grant money from the Public Health Service pursuant to 42 U.S.C. § 233. *See* Exhibit B. In addition, Carlos Sandoval-Herrera, M.D., was acting within the scope of his employment at the Access Community Health Network with respect to the incidents referred to in the complaint. *Id.*

2. This notice of removal is filed in accordance with 42 U.S.C. § 233 upon certification by the designee of the Attorney General of the United States that defendant Access Community Health Network was a private entity receiving grant money from the Public Health Service and that defendant Carlos Sandoval-Herrera, M.D., was acting within the scope of his employment at the Access Community Health Network with respect to the incidents referred to in the complaint. Exhibit B.

3. This notice of removal may be filed without bond at any time before trial. 42 U.S.C. § 233(c). Trial has not yet been had in this action.

4. Pursuant to the certification by the Attorney General's designee and the filing of this notice of removal, under 28 U.S.C. § 233(c), this civil action is deemed an action against the United States, and the United States is substituted as the sole federal party defendant in place of defendants Access Community Health Network and Carlos Sandoval-Herrera, M.D.

WHEREFORE, this action now pending in the Circuit Court of Cook County, Illinois, is properly removed to this court pursuant to 42 U.S.C. § 233, and the United States is substituted as the defendant in lieu of Access Community Health Network and Carlos Sandoval-Herrera, M.D.

Respectfully submitted,

ZACHARY T. FARDON
United States Attorney

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